

RECEIVED 19 JAN 2006

00684.003650

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:	)	
RYO KURODA ET AL.	)	Examiner: Not Yet Assigned
Application No.: 10/530,182	)	Group Art Unit: 2856
Int'l Application No. PCT/JP2004/009239	)	
Filed: June 23, 2004	)	
For: CHEMICAL SENSOR AND	)	
CHEMICAL SENSOR	)	
APPARATUS	)	January 18, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: APPLICATION PROCESSING DIVISION, SPECIAL  
PROCESSING AND CORRESPONDENCE BRANCH**

**LETTER FORWARDING PREVIOUSLY FILED  
RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371**

Sir:

It has come to Applicants' attention that a response to the Notification of Missing Requirements Under 35 U.S.C. 371, which was filed on August 22, 2005, has been misplaced by the U.S. Patent and Trademark Office (PTO). In particular, Applicants' undersigned attorney was advised by the PCT Help Desk that this response was likely not correctly matched with the file.

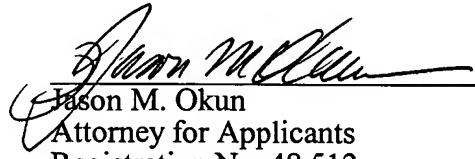
Accordingly, as advised by the PTO representative at the PCT Help Desk, Applicants resubmit herewith in its entirety the response filed on August 22, 2005, including the executed Declaration/Power of Attorney form and a copy of the Notification

of Missing Requirements Under 35 U.S.C. 371. Also, enclosed is a copy of the return card for the August 22, 2005 submission, bearing the PTO receipt stamp of that date, which is prima facie evidence that the executed Declaration and the response were filed on that date.

Accordingly, Applicants request that the pre-examination processing of this application be completed, the filing date be granted and a Notice of Acceptance of Application under 35 U.S.C. § 371, indicating that the last requirement under 35 U.S.C. § 371 in the subject application was met on August 22, 2005, be issued.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
\_\_\_\_\_  
Jason M. Okun  
Attorney for Applicants  
Registration No. 48,512

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_MAIN 547511v1

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date 8 / 22 / 05  
Mo. Day Yr.

Atty. Docket 00614 283852

Application No. 532112

Sir:

Kindly acknowledge receipt of the accompanying:

☒ Response to Official Action. 8/11/05

☐ Check for \$ \_\_\_\_\_ (claims fee)

☐ Petition under 37 CFR 1.136 and Check for \$ \_\_\_\_\_

☐ Notice of Appeal and Check for \$ \_\_\_\_\_

☐ Information Disclosure Statement, PTO-1449 and \_\_\_\_\_

☐ Claim for priority and certified copies of \_\_\_\_\_

☐ Issue fee transmittal and Check for \$ \_\_\_\_\_

☒ Other (specify) Declaration and Copy of Declaration  
by placing your receiving date stamp hereon and mailing or returning to deliverer.

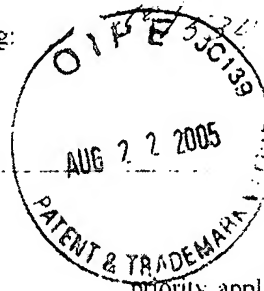
Atty. J.M.C.

Due Date 10 / 14 / 05  
Mo. Day Yr.

37 CFR 1.8 ☐

37 CFR 1.10 ☐

By Hand ☒



FOHS-B-00

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00684.003650

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: Not Yet Assigned
RYO KURODA ET AL.	)	
	:	Group Art Unit: Not Yet Assigned
Application No.: 10/530,182	)	
	:	
Int'l Application No. PCT/JP2004/009239	)	
	:	
Filed: June 23, 2004	)	
	:	
For: CHEMICAL SENSOR AND	)	
CHEMICAL SENSOR	:	
APPARATUS	)	August 19, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: APPLICATION PROCESSING DIVISION, SPECIAL  
PROCESSING AND CORRESPONDENCE BRANCH**

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371**

Sir:

In response to the NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371, mailed August 11, 2005 enclosed please find an executed  
Declaration/Power of Attorney form. Also enclosed is a copy of the NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35 U.S.C. 371.

The Notification alleges that Applicants are required to submit an additional  
fee of \$100 for two claims over twenty. Applicants respectfully submit that this is  
incorrect.

Specifically, Applicants requested that the subject application enter the U.S.  
National Stage on April 4, 2005 and submitted, in pertinent part, a copy of the international

application, a copy of the International Search Report, a Preliminary Amendment, a Request for Immediate Examination, which was a part of the Transmittal Letter to the United States Designated /Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371 (Transmittal Letter), and a check for \$1,000.00 to cover U.S. basic national filing fees. As indicated on page 2 of the Transmittal Letter, the \$1,000.00 fee was for the following:


Basic National Filing Fee:	\$300.00
Examination Fee:	\$200.00
Search Fee:	\$400.00 (International Search Report reported and provided to the Office)
Claim Fees:	\$100.00 (for 2 claims over 20)
<hr/>	<hr/>
Total:	\$1,000.00

Accordingly, it is respectfully submitted that Applicants paid all required fees for entering the subject application into the U.S. National Stage. No additional claim fees should be required. Therefore, withdrawal of the requirement to submit additional \$100 is respectfully requested.

The Commissioner is authorized to charge any fees in connection with the present paper to Deposit Account 06-1205, particularly should the above request be denied.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
\_\_\_\_\_  
Jason M. Okun  
Attorney for Applicants  
Registration No. 48,512

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
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Facsimile: (212) 218-2200

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/530,182

FIRST NAMED APPLICANT

Ryo Kuroda

ATTY. DOCKET NO.

00684.003650

INTERNATIONAL APPLICATION NO.

PCT/JP04/09239

LA. FILING DATE

06/23/2004

PRIORITY DATE

06/23/2003

05514

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

CONFIRMATION NO. 5599

371 FORMALITIES LETTER



\*OC000000016741081\*

Date Mailed: 08/11/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/04/2005
- Copy of the International Search Report filed on 04/04/2005
- Preliminary Amendments filed on 04/04/2005
- Request for Immediate Examination filed on 04/04/2005
- U.S. Basic National Fees filed on 04/04/2005
- Priority Documents filed on 04/04/2005

FILE NO. 00684.003650  
ATTORNEY ILIO  
DUE DATE 10/11/05  
DOCKETED 8/16/05 ML  
EW

The applicant needs to satisfy supplemental fees problems indicated below.

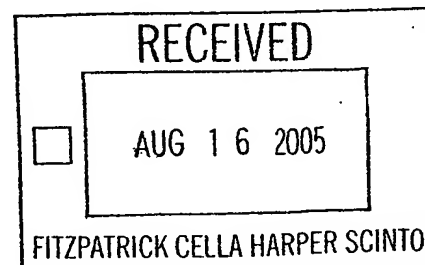
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$100 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$100 for a Large Entity:

- Total additional claim fee(s) for this application is \$ 100



- \$100 for 2 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,182	PCT/JP04/09239	00684.003650

FORM PCT/DO/EO/905 (371 Formalities Notice)